

# THE COLLEGIATE LICENSING COMPANY

February 2, 2009

SENATE JUDICIARY

EXHIBIT NO. 4

DATE 2/3/09

BILL NO. SB250



Senator Gary Perry  
Chairman of the Senate Judiciary Committee  
P.O. Box 200500  
Helena, MT 59620

RE: SB 250, A Bill to strengthen protection against counterfeit marks or logos

Dear Senator Perry:

The Collegiate Licensing Company (CLC), trademark licensing agent for over 200 colleges and universities (including The University of Montana and Montana State University), the NCAA, and post season collegiate bowls, strongly supports SB-250.

The proposed bill, if enacted, will provide solid penalties for counterfeiting and thus furnish a more effective deterrent against this illegal activity. In addition to federal laws prohibiting counterfeiting, many states (more than 40) have enacted anticounterfeiting legislation or are presently considering such legislation. State laws provide an effective and practical weapon against counterfeiting.

Counterfeiters of well-known trademarked products such as officially licensed collegiate products defraud Montana's consumers, escape from the payment of taxes, cause the loss of jobs for Montana's citizens and take away royalty revenue used by colleges and universities to foster higher education.

In addition, the sale of counterfeit product raises serious health and safety concerns. Counterfeiters have little or no regard for the safety of their products, which include counterfeit airplane and automobile parts, baby formula and pharmaceuticals. Toxic dyes, flammable fabrics and inferior counterfeit toys also pose a threat.

CLC has been active in Montana and throughout the United States in combating counterfeiting using civil procedures and, where possible, seeking the cooperation of federal, state and city law enforcement. Criminal enforcement is often the only viable countermeasure, and is frequently the most effective, as many counterfeiters consider civil liability as merely a cost of doing business. SB-250 will outfit Montana law enforcement with the tools they need to aggressively enforce the counterfeiting laws.

CLC and the member collegiate institutions respectfully urge your enactment and support of SB-250. If I can answer any questions regarding the impact of counterfeiting on our industry, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Bill Battle'.

William R. Battle, III  
Founder and Chairman